



# **Annual Report 2020/21**

## **Overview and Scrutiny**

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## Statement by the Head of Governance and the Monitoring Officer

1.1 Article 6 of the Constitution requires that an annual report be presented to Council on the workings of Overview and Scrutiny Committees, their future work programmes and any proposed amendments to working methods. Accordingly, this report provides the following information:

- (a) Statement by the Monitoring Officer.
- (b) Performance Review Statistics.
- (c) Future Work Programmes.
- (d) Amendments to Current Practices.

1.2 The **Delivering Good Governance in Local Government Framework** (2016 Edition) identifies seven core principles of good governance, with associated sub principles. Of particular relevance is:

### **Core Principle F: Managing risks and performance through robust internal control and strong public financial management**

**Sub Principle: Managing Performance** Ensuring an effective scrutiny or oversight function is in place which provides constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation's performance and that of any organisation for which it is responsible.

**Action/Response:** There is one Overview and Scrutiny Committee, with its own work programme, which met regularly. There is constructive scrutiny challenge. The use of programmed scrutiny in the decision-making process ensures that Overview and Scrutiny Committees have less need to call-in an item having already had the opportunity to express a view to the decision-maker. Scrutiny recommendations are considered in detail by the Cabinet. An annual report on the work of the committee is presented to the Council's Annual Meeting.

1.3 As the Monitoring Officer, I am satisfied that the statutory overview and scrutiny function is operating effectively and has been properly and lawfully exercised in accordance with the Constitution and has contributed to the achievement of the core and sub principles. This is evidenced by:

- (i) The Council has operated one Overview and Scrutiny Committees (the law requires one or more).
- (ii) Work Programmes have been set and approved and carried out and reported to the Council.
- (iii) 11 or more ordinary meetings of the Overview and Scrutiny Committee have been held during the year.
- (iv) Policy review and development has been undertaken in accordance with the Budget and Policy Framework Procedure Rules.
- (v) Reports from Overview and Scrutiny Committees to the executive would ordinarily have been considered by the executive within 4 weeks.
- (vi) The Overview and Scrutiny Committee has exercised call-in.
- (vii) The urgency procedures have been properly exercised and reported.
- (viii) Officers and Members have attended Scrutiny Committees to give evidence when required.

1.4 The scrutiny function has operated in accordance with guidelines/protocols to assist in respect of:

- (a) The call-in procedure;
- (b) Chairman's procedure for key question setting and chairmen's meetings;
- (c) The key stages for topic reviews;
- (d) Public submission of topics for review;
- (e) Petitions
- (f) Public speaking at committee; and
- (g) Officer support.

**Harvey Rudd**  
Monitoring Officer

**Louise May**  
Head of Governance

## The Role and Responsibilities of Scrutiny

- 2.1 The overview and scrutiny function is central to the constitution of the Council. It should act to promote accountability and transparency within the decision-making process.
- 2.2 The key agreed local principles forming the foundation of the overview and scrutiny function at Dover District Council are as follows:
- The focus for scrutiny must be based upon the achievement of outcomes rather than upon process and procedures in order to develop a function that can make a real difference to the Council and the district.
  - That Overview and Scrutiny be positive, objective and constructive, seeking to add value to any service that it considers. Scrutiny should acknowledge good practice where found and recommend improvements where necessary.
  - It is essential that the Council has an active and challenging scrutiny function that reflects corporate priorities regarding the provision of services.
- 2.3 The Council has a single Overview and Scrutiny Committee which provides overview on the exercise and delivery of council services and functions and considers the impact of service delivery across the whole of the public and private sector on the local community.
- 2.4 The Overview and Scrutiny Committee is responsible for discharging the functions, some of which are conferred by legislation, in relation to the following matters:

### Overview and Scrutiny Committee

- (a) Budget and Major Policy
- (b) Call-in
- (c) Performance Monitoring and Improvement
- (d) Petitions referred to the scrutiny committee
- (e) Community Reviews and Accountability
- (f) Public Health
- (g) Major Projects
- (h) Crime and Disorder

### Policy Development and Review

- 2.5 The Overview and Scrutiny Committee exercise the following functions in respect of policy development and review:
- (a) Assist the Council and the executive in the development of its Budget and Policy Framework by in-depth analysis of policy issues;
  - (b) Conduct research and undertake community and other consultation in the analysis of policy issues and possible options;

- (c) Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (d) Question members of the Executive and/or Committees and chief officers about their views on issues and proposals affecting the area; and
- (e) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that collaborative working enhances the interests of local people.

### **Overview and Scrutiny**

2.6 The Overview and Scrutiny Committee will within its terms of reference:

- (a) Review and scrutinise the decisions made by and performance of the Executive and/or Committees and Council officers both in relation to individual decisions and overall performance;
- (b) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (c) Consider any matter affecting the area or its inhabitants;
- (d) Reconsider decisions made but not yet implemented by the Executive (following the exercise of the right of call-in);
- (e) Question members of the Executive and/or Committees and Chief Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or relation to particular decisions, initiatives or projects;
- (f) Make recommendations to the Executive and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- (g) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance; and
- (h) Question and gather evidence from any person (with their consent). Overview and Scrutiny Committee have powers conferred by legislation in respect of requiring certain bodies such as the Executive or Community Safety Partnership members to attend for the purpose of providing evidence in respect of their functions.

## Performance Review

- 3.1 If overview and scrutiny is to be successful it needs to achieve tangible outcomes. These can be achieved through influencing executive decision-making – whether through scheduled scrutiny through the work programme or call-in, influencing partners and outside bodies or raising awareness of issues with members of the council and the wider public.

### Structure

- 3.2 Dover District Council operates a single scrutiny committee model. The number of scrutiny committees maintained by the Council is in line with the Kentish district council average of 1.22 scrutiny committees (for those authorities operating executive arrangements) with all apart from Dartford and Gravesham operating a single scrutiny committee.

### Scrutiny Recommendations

- 3.3 During the municipal year 2020/21 a number of recommendations have been made by the Overview and Scrutiny Committee to Cabinet and Council, and a summary of the outcomes is shown below:

Overview	Executive Business	Council Business	Total
Overview and Scrutiny Committee	23	0	23

Executive Business	Approved	Amended or Deferred	Rejected	Total	PCT Approved
Overview and Scrutiny Committee	21	0	2	23	91%

Council Business	Approved	Amended or Deferred	Rejected	Total	PCT Approved
Number of Scrutiny Recommendations	0	0	0	0	n/a

- 3.4 The average approval level of recommendations from the Overview and Scrutiny Committee by Cabinet was 91% (against a target of 80%) when including decisions where the original Cabinet decision was endorsed unchanged by Overview and Scrutiny. If only decisions are counted where the Overview and Scrutiny Committee made a recommendation other than that set out in the report, the approval rate is lower at 50%.

- 3.5 The total number of recommendations made to Cabinet decreased slightly from 30 in the municipal year 2019/20 to 23 in the municipal year 2020/21.

### Frequency of Meetings

- 3.6 There has been a total of 13 meetings of the Overview and Scrutiny Committee. Additionally, there was also a budget key briefing meeting held during the municipal year.

- 3.7 This gives a combined total of 14 meetings during 2020/21.

### **Call-In**

- 3.8 There has been 0 Executive Decisions called-in for scrutiny during the course of the municipal year.
- 3.9 It should be emphasised that the number of times the call-in power is exercised has no direction correlation with the efficiency of the Council's overview and scrutiny functions. For example, the use of programmed scrutiny in the decision-making process can ensure that Overview and Scrutiny Committees have less need to call-in an item having already had the opportunity to express a view on a matter to the decision-maker.

### **Public Speaking at Overview and Scrutiny**

- 3.10 The Council adopted a protocol for public speaking during the municipal year 2008/09. The conclusion drawn from the exercise of the public speaking protocol to date is that it does provide a method by which members of the public can directly express their views to decision-makers.
- 3.11 During the pandemic, this was amended to change the basis for speaking to a written statement of up to 500 words. This has been successfully utilised during the last year by a member of the public.

### **Scrutiny Agenda Setting**

- 3.12 In accordance with Constitution any Member of the Council can nominate an item within the remit of a scrutiny committee for the agenda, although the committee does not have to include any suggestions in its work programme.

### **Public Petitions**

- 3.13 The Overview and Scrutiny Committee has received 0 petitions during the preceding municipal year.
- 3.14 A review of the Council's petition scheme will be undertaken as part of the Review of the Constitution 2021/22 as it is based on statutory guidance that has since been repealed.

### **Budget Scrutiny**

- 3.15 The Overview and Scrutiny Committee conducted its scrutiny of the budget at its 8 February 2021 meeting. The Committee received a detailed briefing from the Strategic Director (Corporate Resources) as part of the budget scrutiny meeting.

## **Work Programme**

- 4.1 The Overview and Scrutiny Committee has developed a one-year work programme and scrutinised a number of issues.
- 4.2 There have been several external organisations or community groups involved in scrutiny (either as an interviewee or by providing documentary evidence) during the municipal year 2020/21.
- 4.3 Any items not completed during the 2020/21 work programmes will be presented to the meeting of the Committee in June 2021 for consideration for inclusion in the rolling work programme for 2021/22.
- 4.4 The work programme is subject to regular review by the Scrutiny Committee having regard to the corporate objectives and priorities, public consultation, and other events that may require the Scrutiny Committee to reappraise its work programmes.

### **New Legislation**

- 4.5 Any new legislation affecting overview and scrutiny will be considered and implemented as required.

## Work Programme – Overview and Scrutiny Committee (August 2020 – April 2021)

- Performance Report Q1 2020/21
- Affordable Housing Delivery
- Council Tax Premium for Long-Term Empty
- Properties Directly Impacted by Covid-19
- Cleaning of Communal Areas in Housing Blocks
- Food Poverty
- EU Transition – Dover Port Health Authority
- Appointment of Local Plan PAG
- Sandwich Guildhall Forecourt Improvement Works
- Housing Stock Compliance
- Performance Report Q2
- Private Sector Housing Enforcement Policy 2020
- Housing Stock Compliance
- Provision of New Museum Store
- Dover District Council Local Development Scheme
- Local Plan - Regulation 18 Consultation
- Cable Car Feasibility
- Local Government (Miscellaneous Provisions) Act 1976: Hackney Carriage Fare Tariff - Request for Increase
- Housing Stock Compliance
- Approval of fees and charges for 2021/22
- Climate Change Emergency
- Housing Stock Compliance
- Kent and Medway Energy and Low Emissions Strategy
- Environmental Enforcement Service Delivery
- Use of Social Media for the investigation of criminal offences
- Budget Scrutiny
- Housing Stock Compliance
- Review of On and Off-Street Parking Charges
- Flooding in Deal
- Homelessness & Evictions Update
- Performance Report – Q3
- Housing Stock Compliance
- Crime and Disorder Update
- Future of Co-Innovation Centre
- Disabled Facilities Grants
- Dover Town Regeneration Advisory Board - Terms of Reference
- Refurbishment of Dover Discovery Centre
- Public Sector Decarbonisation Fund
- Use of Kearsney Abbey Contingency Fund
- Housing Stock Compliance

The Food Poverty Review is expected to be reported to the July 2021 meeting of the Council.

### Future Work Programme

The Overview and Scrutiny Committee will set its work programme for the municipal year 2020/21 at its first meeting following the Annual Council meeting on 24 May 2021.

There are a number of items outstanding from the previous work programme that the Committee will be asked to confirm if it wishes to include in the work programme for 2021/22 as follows:

- Youth Services
- Noise nuisance policy and performance (with particular respect to the out of hours service)
- Dover District Leisure Centre - review of performance against targets and public transport access provision
- Public Toilet Provision
- Rural Car Parking
- Greening of Urban Dover
- Update on capital expenditure relating to Digital Agenda